

ENTERED

August 03, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

JORGE MONTIEL,

Plaintiff,

VS.

HEAD WARDEN CASTRO, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:20-CV-101

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Before the Court is Magistrate Judge Jason B. Libby's Memorandum and Recommendation (M&R), entered on June 24, 2020. (D.E. 7). The M&R recommends that the Court dismiss Plaintiff's case for failure to prosecute. (D.E. 7, p. 2).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at *1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, Plaintiff's complaint, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 7). Accordingly, the Court **DISMISSES** this case for failure to prosecute.

SIGNED and ORDERED this 3rd day of August 2020.

A handwritten signature in black ink, appearing to read 'DSM', is written over a horizontal line.

DAVID S. MORALES
UNITED STATES DISTRICT JUDGE